Conference on Disarmament

24 August 2015

Original: English

Letter dated 21 August 2015 from the President of the Conference on Disarmament and Permanent Representative of the Netherlands to the Conference on Disarmament transmitting a letter addressed to the members and observer States of the Conference providing suggestions on possible ways forward for the Conference on Disarmament

I have the honour to transmit herewith a letter in my capacity as President of the Conference on Disarmament. I would ask you to circulate this letter to members of the Conference as an official document.

(*Signed*) Henk Cor van der Kwast
President
Conference on Disarmament
Permanent Representative of the Netherlands
to the Conference on Disarmament

GE.15-14248(E)

Please recycle

1. Following the Netherlands Presidency of the Conference on Disarmament from 6 July to 23 August 2015, I would like to share the following. The main aim of the Dutch Conference on Disarmament Presidency was to provide room for informal discussion as a means to search for common ground with a view to take the Conference on Disarmament forward.

2. All delegations were requested to actively participate in the discussions, including by submitting working papers and inviting experts. The main question posed to delegations was to reflect on what delegations could live with beyond their usual positions, rather than stating what they would oppose to.

3. On 7 July, the Netherlands organized a formal plenary meeting on "Ways forward for the Conference on Disarmament?' in the presence of the new Acting High Representative for Disarmament, Mr Kim Won-soo. At this meeting also a draft decision to appoint a special coordinator to seek views and receive proposals on the methods of work of the Conference was tabled, but could not be adopted for lack of consensus.

4. Building on the discussions under the Conference on Disarmament's schedule of activities, the Netherlands further organized informal discussions on 'The status of nuclear disarmament and possible further steps' on 4 August; 'A ban on the production of fissile material for nuclear weapons and other explosive devices' on 7 August; on 'Effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons' on 8 August; on 'Gender and disarmament' on 11 August; on 'Other issues' on 18 August' and on 'The prevention of an arms race in outer space' on 19 August. The discussions in these meetings were kicked off by experts that were invited by the Netherlands Presidency. An overview of the meetings is attached to this letter.

5. In a formal plenary meeting on 17 August the report of the co-chair of the Informal Working Group, established under the Decision CD/2022, Ms. Päivi Kairamo, Ambassador of Finland was adopted.

6. In the final formal plenary session under the Netherlands Presidency on 21 August the outcomes and results of the informal sessions were discussed.

7. On the basis of both the formal and informal discussions under the Netherlands Presidency on the named subjects, the Netherlands would like to submit to the Conference the following suggestions and recommendations as possible ways forward for the Conference on Disarmament.

8. These suggestions and recommendations are a reflection by me and my delegation of the discussions during our Presidency and do not necessarily reflect the views of other delegations of the Conference on Disarmament.

Suggestions on possible ways forward for the Conference on Disarmament

On nuclear disarmament

1. Establishing a working group that will make recommendations on possible aspects that could contribute, but not negotiate to a treaty on nuclear disarmament which will operate on the basis of the rules of procedure of the Conference on Disarmament and without prejudice to national positions in future negotiations;

2. Consideration of:

(a) Transparency issues with regard to nuclear disarmament;

(b) Verification issues with regard to nuclear disarmament;

(c) The possibilities to reduce the role of nuclear weapons in military doctrines;

(d) The humanitarian consequences of the use of nuclear weapons;

(e) The possibilities for dealterting nuclear weapons.

On a treaty banning the production of fissile material for nuclear weapons and other explosive devices

3. Starting negotiations on a treaty banning the production of fissile material for nuclear weapons and other explosive devices on the basis of the Shannon-report and the mandate contained therein (CD/1299) or a to negotiate mandate;

4. Establishing a working group that will make recommendations on possible aspects that could contribute, but not negotiate a treaty banning the production of fissile material for nuclear weapons or other explosive devices, which will operate on the basis of the rules of procedure of the Conference on Disarmament and without prejudice to national positions in future negotiations;

5. Building on the French proposal for a draft Treaty banning the production of fissile material for nuclear weapons or other explosive devices (CD/2020), encouraging member states to develop draft treaties and organize meetings to discuss and compare these treaties with a view to identify what common elements are and where solutions have to be found for different viewpoints

6. Consideration of:

(a) Technical and scientific aspects of verification of a treaty banning the production of fissile material for nuclear weapons and other explosive devices, particularly on dealing with sensitive information; developing techniques for verifying past production; studying how existing verification instruments of the International Atomic Energy Agency (IAEA), the Organisation for the Prohibition of Chemical Weapons (OPCW) and the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) could be used as a basis for a verification toolbox; and considering the development of new verification methods, tools and techniques.

(b) Legal, institutional and governance aspects of a treaty banning the production of fissile material for nuclear weapons and other explosive devices, including on non-compliance aspects and other issues such as accession, reservations, depository, dispute settlement, etc.;

(c) Transparency aspects of a treaty banning the production of fissile material for nuclear weapons and other explosive devices, including on the possibility to develop a 'baseline' for current fissile material stocks;

(d) How to deal with verification of fissile material for other military purposes such as fuel for submarines and how to deal with spend fuel.

On the prevention of an arms race in outer space

7. Preparatory discussions for negotiations on the international code of conduct;

8. Establishing a working group that will make recommendations on possible aspects that could contribute, but not negotiate a treaty on the prevention of an arms race in outer space which will operate on the basis of the rules of procedure of the Conference on Disarmament and without prejudice to national positions in future negotiations;

9. Consideration of:

(a) Definition-issues, like the definition of a 'space weapon' and 'outer space';

(b) Verification aspects of an outer space treaty;

(c) Possible further steps on transparency and confidence building measures related to outer space.

On effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

10. Establishing a working group that will make recommendations on possible aspects that could contribute, but not negotiate effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons which will operate on the basis of the rules of procedure of the Conference on Disarmament and without prejudice to national positions in future negotiations;

11. Continuing discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

12. Consideration of further regional approaches, including Nuclear Weapon Free Zones.

On gender and disarmament

13. Consideration and inclusion of concrete and practical gender related aspects in negotiations, discussions and treaties.

On other issues

14. Establishing an Informal working group or a special coordinator for the consideration of the working methods of the Conference on Disarmament;

15. Re-establishing the Informal Working Group to negotiate a programme of work;

16. Improving the Conference on Disarmament's website and documentation to delegations.

17. Consideration of:

(a) Regular participation of scientific and other experts and civil society in negotiations and discussions in the Conference on Disarmament;

(b) Conference on Disarmament expansion in a formal plenary meeting of the Conference on Disarmament on the basis of the questions posed in the working paper by the 39 member States of the International Group of Observer States (IGOS) to the Conference on Disarmament;

(c) First Committee resolutions that contain an action to be taken by the Conference on Disarmament or are related to the Conference on Disarmament;

(d) Possibility of elaborating elements of treaties that have to be negotiated in the future. Examples are issues related to transparency or verification;

(e) Negotiating political binding measures;

(f) Continue holding structured in-depth deliberations, with greater specificity and allocation of time on agenda items, including through the participation of scientific and technical experts on specific topics, to enhance understanding and common ground beneficial to future negotiations that the Conference on Disarmament could undertake, as suggested in the Informal Working Group report.

(g) Role of Presidency and the P6;

(h) Carryover of a programme of work;

(i) Review of the current permanent agenda of the Conference on Disarmament;

(j) Negotiating regulations on radiological weapons;

(k) Discussing further steps with a view to possibly negotiate a treaty on regulating lethal autonomous weapon systems.